

# **Exhibit A to Rabenstein Declaration**

**From:** [Timothy Shannon](#)  
**To:** [Rabenstein, Reba \(DC\)](#); [Ben Stern](#); [Jennifer Harrell](#)  
**Cc:** [#C-M ASTELLAS - ASTELLAS V. IMSTEM - LW TEAM](#)  
**Subject:** RE: Astellas v. ImStem, No. 1:17-cv-12239-ADB (D. Mass.) -- case schedule  
**Date:** Thursday, September 5, 2019 9:40:51 AM

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Reba,

Thank you for your edits/proposals on the schedule. With respect to the Xu deposition, he is teaching a full schedule this fall, so we have two options. First, as we indicated in our MTA papers, Dr. Xu can be available for a video deposition – and it can happen next week, Sept. 9-11. We are prepared to assist in finding a location in Macau and work with you on logistics. Second, alternatively, Dr. Xu is able to rearrange his commitments so that he is available Sept. 30-Oct. 2 in California; we would recommend San Francisco or Los Angeles. It's not entirely clear to us why you need Dr. Xu's deposition prior to opening expert reports – since you will have taken his deposition and seen our expert report well before your own expert report on the Defendants' 321 counterclaim – but we are willing to work with you on the schedule to make the pieces fit. For example, we could push the expert reports by a week and make it up in closer expert deposition scheduling or opening SJ briefing. Let us know how you'd like to proceed.

Regards,  
Tim

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**From:** Rebecca.Rabenstein@lw.com [mailto:Rebecca.Rabenstein@lw.com]  
**Sent:** Tuesday, September 3, 2019 10:41 AM  
**To:** Ben Stern <bstern@verrilldana.com>; Timothy Shannon <tshannon@verrilldana.com>; Jennifer Harrell <jharrell@verrilldana.com>  
**Cc:** ASTELLASASTELLASV.IMSTEM.LWTEAM@lw.com  
**Subject:** Astellas v. ImStem, No. 1:17-cv-12239-ADB (D. Mass.) -- case schedule

Ben,

As discussed last week, please find attached a proposed revised case schedule (clean and redline versions). We have left a "TBD" placeholder in for the close of fact discovery. Please let us know when Dr. Xu will be available for deposition in California prior to September 18, 2019, as we will need time to make travel arrangements.

We will send you our responses on the other topics covered in our meet and confer last week under separate cover.

Best,  
Reba

**Rebecca L. Rabenstein**

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